



2152

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 1653)

In re Application of:

Mark Yarkosky

Serial No.: 10/068,422

Filed: February 6, 2002

For: Method and System for Selecting
Vocoder Rates and Transmit
Powers for Air Interface
Communications

Art Group: 2152

Examiner: Not Yet Assigned

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Asst. Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

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Technology Center 2600

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:

- Transmittal Letter, in duplicate
- Information Disclosure Statement
- Form PTO-1449
- Seven (7) cited references
- Return Receipt Postcard

2. With respect to additional fees:

- x A. No additional fee is required.
 B. Attached is a check in the amount of \$ _____.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 21-0765.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 5th day of June, 2002.

By:

Neilesh R. Patel

Reg. No. 50,918

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)

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JUL 01 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

United States Patents

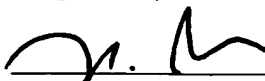
1. U.S. Patent No. 6,014,375 (Janky).
2. U.S. Patent No. 6,100,806 (Gaukel).

Article References:

3. K. Choi, et al., "Adaptive Data Rate Transmission in CDMA Networks Over Time Varying Traffic Channel", www.aranet.co.kr/sem_pdf/cdma/EEE/E4-2.pdf (visited March 20, 2001), 4 pages.
4. W. Marshall, et al, "Integration of Resource Management and Call Signaling for IP Telephony", www.softarmor.com/sipwg/drafts/morgue/draft-dcsgroup-sip-resource-00.txt, (visited April 9, 2002), 11 pages.
5. Thomas Frieling, "Re: Available Bit Rate Service", www.cell-relay.indiana.edu/mhonarc/cell-relay/1999-Jun/msg00050.html, (visited March 20, 2001), 2 pages.
6. Introduction to cdma2000 Standards for Spread Spectrum Systems, March 2000, TIA Ballot Resolution Version, TIA/EIA/IS2000 Part 2-A-1; Table of Contents, pages i-xlvi; Section 2.1.2 (Power Output Characteristics), pages 2-37 to 2-60; Section 2.1.3 (Modulation Characteristics) pages 2-61 to 2-202 (231 total pages).
7. Introduction to cdma2000 Standards for Spread Spectrum Systems, March 2000, TIA Ballot Resolution Version, TIA/EIA/IS2000 Part 5-A-1; Table of Contents, pages i-xliv; Section 2.6.4 (Mobile Station Control on the Traffic Channel State), pages 2-243 to 2-327; Section 3.6.4 (Traffic Channel Processing), pages 3-24 to 3-61; Section 3.7.3 (f-dsch), pages 3-338 to 3-584 (367 total pages).

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,



Neilesh R. Patel

Registration No. 50,918

Dated: June 5, 2002

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, Suite 3200
Chicago, Illinois 60606

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 1653	Serial No. 10/068,422
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: Mark Yarkosky	
		Filing Date: February 6, 2002	Group: 2153



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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
	1. 6,014,375	Jan. 11, 2000	Janky	713		2/13/97
	2. 6,100,806	Aug. 8, 2000	Gaukel	713		7/7/98

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

3.	K. Choi, et al., "Adaptive Data Rate Transmission in CDMA Networks Over Time Varying Traffic Channel", www.aranet.co.kr/sem_pdf/cdma/EEE/E4-2.pdf (visited March 20, 2001), 4 pages.
4.	W. Marshall, et al, "Integration of Resource Management and Call Signaling for IP Telephony" www.softarmor.com/sipwg/drafts/morgue/draft-dcsgroup-sip-resource-00.txt (visited April 9, 2002), 11 pages.
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Examiner	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.